

## Article - Environment

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§14–202.

(a) Subject to the limitations and provisions contained in this subtitle, a gas storage company may acquire by eminent domain the right to utilize for underground storage of gas, geological strata lying not less than 800 feet below the surface of a maximum of 12,000 acres of land in Prince George's County. However, the 12,000 acres shall be within the area located west of highway U.S. 301 where located as of July 1, 1965; north of the Charles County boundary line; east of 76 degrees 56 minutes 30 seconds west longitude; and south of 38 degrees 45 minutes 45 seconds north latitude. The use of eminent domain in any case under this subsection shall be in accordance with the provisions of Title 12 of the Real Property Article, which are applicable to any eminent domain proceeding case under this subtitle.

(b) Subject to the limitations and provisions contained in this subtitle, a gas storage company may acquire, in Prince George's County, by negotiation and agreement, the right to utilize for underground storage of gas, geological strata owned by any public body and lying not less than 800 feet below the surface of land, which right the public body may grant for the consideration agreed upon with the gas storage company. If the company and public body cannot agree upon the consideration, or if there is no public authority other than the General Assembly which has power to enter into the agreement, then the company may acquire the right by eminent domain, in the manner provided in Title 12 of the Real Property Article for the taking by eminent domain of private property for a public use, which provisions are applicable to any case under this subtitle. If the State is made a party, service of process shall be made upon the Attorney General.

(c) A gas storage company may acquire by eminent domain the rights provided for in subsections (a) and (b) of this section in geological strata lying not less than 800 feet below the surface of land in Prince George's County even though this land is already devoted to a public use under authority of law, if the exercise of these rights do not materially interfere with the public use.

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